

The Commonweal

A Weekly Review of Literature, The Arts and Public Affairs

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BEING YOUNG IN 1935

HARDLY a day goes by that does not bring us a letter from some young, clean-cut man or woman inquiring whether a vacancy exists on the staff of THE COMMONWEAL. Often enough the correspondent is simply brimming over with vitality and idealism, both of which are assets of the greatest value. It is not our business at the moment to regret—as we most assuredly do—our inability to use even a single one of these volunteers. The fact that a genuinely effective religious journalism might be created if these youthful energies could be harnessed is a circumstance to which we shall return later. Just now the question is: what is it like to be young in these days when an “academic proletariat” is in the making, when employment of any kind is at a premium, and when lack of experience seems to bar the road to achievement?

The American school was grafted on the predominatingly rural family of sixty years ago.

That family was normally a unit having for its central concern the progress of the children. Doubtless the chief ambition was to establish at least one son in a profession, or in the sacred ministry. Since the country as a whole was expanding rapidly through immigration and industrialization, there was always plenty of room for even hastily trained persons. It is not so many years ago that lawyers in most of the western states were required to be only men of good character, with some practical experience with office work. A teacher needed no higher degrees; and a physician was sometimes a man who had learned vastly more from observation than he ever had in college. Under such conditions, a well educated specialist got up the ladder of success in nothing flat.

Today the era of expansion is over—a fact more momentous from the point of view of youth than the current low in business and employment.

We may hope for a more lucrative business cycle, but there seems to be precious little reason to believe that the older supply of "unlimited opportunity" will recur. Meanwhile a number of other phenomena have likewise appeared, every one of them being of great educational significance. The first is the pressure against the family. We know that bolshevist theory has fomented the dissolution of marriage ties, and the revolt of children against parents, in order to stamp out the addiction to private property upon which the family reposes. But the Communists would not have conceived this notion in the abstract, nor made any progress selling it as a mere fancy. It is because the family was already being destroyed under bourgeois institutions, and because this destruction was effecting great social changes, that Lenin was able to conclude that helping the deterioration along artificially would hasten the triumph of the Internationale. To an increasingly greater extent, American children are belonging to institutions rather than to their parents. Where divorce and adultery are prevalent, no ties may exist between parent and offspring except financial ones. If, having been educated (away from home, of course), a young man or woman without a home cannot find employment, a situation of the gravest kind is created. And even in cases where the domestic ties are quasi-intact, the idea of family social and economic continuity may have been lost. Young people are at least psychologically dependent upon state and institutions rather than upon the house to which they belong.

Again, the contour of daily existence has been radically altered. Students of the religious life point to the greater difficulties of adjustment which now confront the novice. Accustomed to the automobile and the radio, accepting jolly weekends as apparitions as normal as the sunrise, the young person who is reduced to bleak routine suffers one shock after another. The hardships which surround the adjustment of a fledgling in secular life are at least equally great. When we read that two boys, jobless and restless, set out with pistols to blast a trail to Chicago and murder a good Samaritan for a starter, our attention is called to an especially lurid instance of what is happening in many forms all about us. It is infinitely pathetic to watch a young lad with splendid stuff in him battle for a time against the moral shoddiness of some job which has come his way, only to give up in the end. And who is to write the saga of girls, homeless and cramped, who gradually divest themselves of everything for which their background stood?

Yes, to be young in these times is no simple matter. But the situation is doubtless harder still for parents, baffled as well by the times in which they live as by the problems which stand like barriers in the way of their children. Under-

neath the so-called "inability to understand," there is stark and tragic bewilderment. There is as yet no marked tendency to distrust the educational process as such. Going to high school and college is accepted as the inevitable thing, granted that it can be financed. Even when no good reason exists for supposing that education will eventually prove valuable, the mere circumstance that the "chance" is there appears to be a satisfactory motive. In so thinking, parents are doubtless wise. It is not their fault if education badly needs readjustment to the present-day world.

Nevertheless it is our collective fault if we do not begin to see that the family, with all it implies and guarantees, seriously needs attention. The old social attitude, for example, is now wrong: children cannot any longer be sent out to shift for themselves, on the assumption that, having profited by larger intellectual opportunities than were granted their elders, they ought to work out economic salvation speedily and promptly. It is high time to realize that the advantage is now wholly on the other side. Daughters, for example, would benefit greatly if less were spent on their educations, with the object of settling something on them at the time of marriage. Sons need help and sympathetic understanding far more when the struggle with life begins than they ever did as students. We need a new and adequate science of parent teaching, which looks far beyond the years when Johnny is aided with his arithmetic problems to the days when toil and responsibility begin to wear on him. The core of this science must be an honest hardness, a resolute and just discipline.

One notes with extreme regret that this insight is slower to develop than is a treacherous and dangerous reliance upon the state. Government, the collectivity, has been and will ever be a cruel taskmaster. Where young men are taken into military life and drilled into a measure of conformity, society profits by a certain resultant orderliness and calm. But for most of them—that is, for those who are not soldiers by instinct and temperament—the primary consequence is a stunted outlook upon life. Where youth is disciplined according to the spirit of Christianity, a different and nobler loyalty is achieved. Nevertheless the state has a great advantage. It can use force to carry out a broad social plan inside which the individual must take his station or perish. Christianity, seemingly, must be content to expect that the single person will keep the faith. It relies upon the family, which is its historical social assumption. We feel that this reliance will be unjustifiable very soon, unless earnest efforts are made to anneal the fireside and the Church in a manner far more effective than that now obtaining. The Church and the family cannot any longer be in two places, apart.

Week by Week

NOTHING could well be stranger or more troubling than the debates over the tax legislation to which Congress has devoted a whole summer. Originally the President demanded levies on the rich as a means of raising additional revenues, and the bill passed by the House expressed most of the White House's points of view. The Senate, however, got from its committee a measure increasing the income tax load to be borne by all categories of taxpayers. It had the great advantage of being dependable—that is, it would bring in at least twice as much money as the House bill—but anything less popular could not well be imagined. To ask the married man with a salary of \$60 a week for another hand-out in addition to all those now demanded is to court political anger. Accordingly the measure was promptly voted down. Nevertheless some such steps must eventually be taken, if the present rate of government expenditure is maintained. Tax-paying may have only begun. Under these circumstances it is not surprising that worker dissatisfaction with the rate of pay on WPA projects should have crashed into a stone wall. Washington now realizes that the other side of spending is taxation. We do not think that a great deal will be done about finding a way out of the dilemma until next fall. Congress may let the whole matter drop and go home. If it does so, and if the difficulties are still more acute in the autumn, one may prepare for a revival of interest in inflationary legislation. The printing press is almost the sole remaining end of the rainbow.

CALM has not returned to Belfast. Incendiarism and sporadic street fighting affected several thousand persons in the city, most of them workers and their families. It is important to note that the conflict is in no sense of the term a religious one, but has grown out of efforts by radical patriots to unify Ireland by means of a coup d'état. While it is true that the Free State is Catholic and Ulster Protestant, the present conflict is in no sense of the term interested in creeds. Attempts so to characterize it are based on complete ignorance of the facts. On July 25th, President De Valera, after attributing the responsibility for the trouble to England, said: "The issues at stake have nothing to do with religion." The Catholic hierarchy of Ireland has strongly urged peace and forbearance, and the Protestant clergy have been equally outspoken. Cardinal MacRory said, for example, that he deeply deplored "what

has happened in Belfast—it is very bad for both sides." One cause of violence is undoubtedly the industrial depression, which has weighed heavily on the Catholic laboring class. Since the Orangemen seek by every possible means to obstruct the movement to incorporate the North in the Free State, they have carried out a policy of discrimination distasteful to England, which is now interested in according Ireland full dominion status and thus ending a situation productive of centuries of hatred and disaster. Irish Republican impatience with this policy started the present turbulence—which has, we repeat, nothing whatever to do with religion. There has been no attempt to interfere with anybody's beliefs or practices.

ORTHODOX Communism is fortunate in having had founding fathers with so nice a sense of opportunism and the "main chance," that it now has a flexibility which prevents quick disaster in the face of reality. Apparently Marxian metaphysics takes atheism for granted. In the vision of communistic society, religion, like many other things, is to wither up and disappear in the dry air of material fact. There is no theoretical reason why Marxists should explicitly fight religion as long as they are untroubled by it in their efforts to establish their particular type of classless society. They can sincerely say that they have no quarrel with religion, a private affair, so long as it does not hinder socialism, and at the same time confuse questioners by declaring that religion is incompatible with the full establishment of Marxism. The two statements are not contradictory when Marxism is believed in as it is believed in: as an ultimate expression of complex truth. The decay of religion would be a by-product.

NOW THE Communist International is apparently changing its regular contention that religion is always, everywhere a class enemy. That oppressive "opiate of the people" has put to shame the feeble red efforts against Hitler. In this country it stimulates great numbers to decry the present capitalism with a vigor the Comintern has no desire to oppose. Instead, religious differences are to be held in the background and Communists will even bore within religious organizations, trying to take the lead in their activities on the "class front." Instead of smiling at this new policy, Catholics should try to clarify the relation between Christianity and Communism and they should try to convert non-Christian Communists to Christianity. We could very well, in our turn, examine the proposition that "reds" are always, everywhere religious enemies. We would very likely find that the self-contradictory religious acceptance of the full

Marxian philosophy and vision are incompatible and opposed to Christianity, as Mohammedanism or agnosticism are. We would also find in the ranks of avowed Communists thousands of sincere persons who, so far, simply have the political and economic belief that the private ownership of productive property should be abolished. This is no cause for religious excommunication. It would be wrong if everyone who held by this felt that in a Christian group he was, per se, an outsider. He should be able to present his views to the severe criticism they would meet without being made to feel that they cut him off from the brotherhood of the faith, which, during several thousand years, has included devotees of a very wide number of political and economic ideas, many of which have in time turned useless in furthering a Christian civilization.

MUCH of singular pertinence is recalled in this year which revives so impressively the memory of English Reformation martyrs. In Professor Chambers's

A Glorious
Company

"Thomas More" (a book of singular value and beauty to which we shall refer again), there is an anecdote which almost suffices to make far-off times live once again. While the King was carrying out his purpose, no obstacle loomed greater than the English Carthusians, who refused to take the oath. They were imprisoned and put to death after grim tortures which now seem almost incredible. Margaret Clement, whom More loved as a daughter, visited them in prison and tried to comfort them. Thirty-five years later, she was dying in exile in Belgium. Then this happened, as Professor Chambers quotes from the record: "Calling her husband, she told him that the time of her departing was now come, for that there were standing about her bed the Reverend Fathers, monks of the Charterhouse, whom she had relieved in prison in England, and that therefore she could stay no longer because they did expect her." Our fathers still understood very well the circumstances arrayed behind that simple and affecting story. It may be that we shall have to learn to understand as well.

PERPETUALLY one is reminded that the miracles of surgery which are among the top achievements of our time resemble those engineering feats which also set the contemporary era apart. Resourcefulness, a hair-trigger technical control, the patience of exact knowledge coupled at the proper moment with inspired daring are the marks of both, and are probably traceable in both to a common set of causative factors. Within a very few months the non-technical daily press will yield a dozen

Medical
Engineering

instances of this creative exactitude of the surgeon's, each as exciting in its practical skill and calculated control of every detail involved as the making of the Culebra Cut or the shoring up of Boulder Dam. Sight is given to the blind by the substitution of healthy organs for diseased, bones are replaced, severed nerves are spliced, malformed parts are led and compelled into straightness. The latest of these triumphs will attract unusual attention, and thus perhaps help the general public, happily, to a more appreciative realization of the wonders that they fall into the way of taking for granted. Mme. Galli-Curci, the famous singer, was successfully operated upon for a throat growth which imperiled her beautiful voice. During the progress of the operation, the great diva, under the surgeon's direction, sang scales and bits of arias, that the resulting muscular movements might guide his scalpel; the while an anatomical artist made sketches to record the marvelous things that were being done for the benefit of science. This is surely as authentic a plume in the modern cap as anything any enthusiast for progress can think of.

NON-ATTENDANCE at the International Congress of Physiologists in Leningrad perhaps

A Quaint
Savant

disqualifies us from offering any considered opinion of the paper read by the president of that body, Ivan Pavlov, a Russian brain specialist. However, M. Pavlov's conclusions on mental illness as they come headlined through the news seem to call for at least one comment. Recent developments in Russia have been encouraging, if only from the pragmatic point of view. The about-face on wholesale divorce, the new (even though theoretic) emphasis on family responsibility for children, have indicated some distant approach to the truth that men and women are human beings. Apparently M. Pavlov dissents. He has been first inducing mental derangement in dogs and then curing them; and he looks forward to applying the same remedies to afflicted beings of the *genus humanum*. This may be merely an instance, distorted in report, of that study of the incidental parallels between human and animal life which has added much to scientific knowledge; but in the circumstances, it is very hard to think so. It sounds exactly like that simple, trustful naturalism which went around begging biological and sociological questions wholesale about thirty years ago; waving aside "arbitrary morality" in the light of what we learn from the tomcat, and quoting the studbook as a lesson on "selective human breeding." It has not yet disappeared; but its tone is so much less confident today that it hardly constitutes a major challenge to morals any longer.

REDEEMING THE SOCIAL ORDER

By C. J. EUSTACE

THE SIXTH GENERAL COUNCIL of the United Church of Canada met last year and issued a manifesto, embodying the teachings of this organization on "Christianizing the Social Order." As this Church is the second most influential Church in the Dominion of Canada (the first being the Catholic Church, Catholics numbering some 41 percent of the total population, at the last census), its teaching should be of interest to all who are concerned in the work of social reconstruction now being undertaken by the Christian Churches of the world.

Resolutions of the United Church were framed in 1932 providing appointment of a committee to investigate conditions, and to "define the Christian standards and principles which affect or should govern the social order." (The quotations in this article are all, unless otherwise specified, from the manifesto.) Secondly, "to discover how far these principles were being accepted in the fields to which they apply"; and to inquire into the ways and means by which the principles could be applied to existing conditions. Lastly, to "define those particular measures which must form the first steps toward a social order in keeping with the mind of Christ." This last statement, which sounds a trifle strange to Catholic ears, would seem to be a plea for some kind of movement akin to the call to Catholic Action issued by Pope Pius XI.

The manifesto, which comprises about fifteen pages of printed material, opens with some definitions of "Christian standards for social organization." There is a brief summary of what the Christian faith is; and although one may agree with the broad generalities, many of the definitions are ambiguous and vague. Thus:

Accepting for Himself the way of suffering and of death, He [Our Lord] visualized, in contrast to pagan society marked by the spirit of force and domination, an order in which service is the order of greatness. [Not once is the Divinity of Our Lord mentioned. The social teaching of Christ is emphasized throughout, but it is a teaching in which] Jesus represented men as members of one family, the family of God, and so brothers one of another. The reign of God, fulfilling this social ideal [the

Awareness of the challenge to social morality which so much of contemporary life embodies induced His Holiness, Pope Pius XI, to publish an Encyclical Letter on "Social Reconstruction." Since then many similar pronouncements have appeared. One such, and we think a remarkably fine one, is summarized by Mr. Eustace in the accompanying article. It was issued recently by the United Church of Canada, after much deliberation. The resemblance to Catholic teaching seems obvious.—The Editors.

italics are mine], will be realized when life in all its relations is brought under the twin convictions as to the Fatherhood of God and the brotherhood of man.

There is great stress placed upon the necessity of the corporal works of mercy which Our Lord performed—"an order in which service is the order of greatness." The zeal of this Church for social progress, emphasized in the following paragraphs taken from the manifesto, seems to invert the natural order of *agere sequitur esse*.

While it [the Church] recognized that no perfect society could exist as long as men were sinful, it sought to purge society of its grosser evils, and so to regulate its practise that Christian people who desired to maintain the standards of Jesus might have the opportunity of developing a Christian civilization, and that all might have an environment helpful to Christian living [Part 1, paragraph 9].

Catholics know that "Christian people" have no choice but to follow the standards of Our Lord. "Be ye perfect," says Our Saviour, not with the perfection of the world, but "even as your Heavenly Father is perfect."

This penetration of the social order with the spirit of Christ is characterized, by the United Church, as its main tradition. It is contrasted with the tradition of other Christian bodies (in paragraph 10), which are said to be:

the feeding of the inner life of the Christian, sustaining it by unflinching loyalty to Christian dogma, by devotional discipline, by the practises of the Christian temper and by the fellowship of these bound together by the love of Christ, leaving the realm of civil order to the State.

The Lutheran Churches are identified with this particularized brand of Christianity (the Catholic Church is nowhere specifically mentioned), and from this kind of Christianity the United Church disassociates itself to a large extent (paragraph 11). Yet we must admit, although we can find much fault with the general implications of the statement, that Catholics have been, in the past, negligent in the matter of

social consciousness. The duty to our neighbor, however we may like to wriggle out of the situation, is bound up inextricably with the inner life engendered by our adhesion to the first part of the first and great Commandment.

Part Two of the manifesto is concerned with the social order in the light of Christian standards. There is to be found here an admirable conspectus of the social ills of our time. The abuses of capitalism are pointed out; the exploitation of the masses, the latent class warfare, and the greed for possessions are all accurately diagnosed, in phraseology which, if not as majestic and precise as that of Our Holy Father in "Quadragesimo Anno," is almost as effective. There is a discussion of the value of money, of its material significance, and of the false view of wealth which the greed for property has engendered. This is called the "unspiritual view of property," which, to the writer's mind, is a particularly happy phrase. Still, we are told:

Christianity always recognized private property as sacred . . . but with the rise of joint stock companies and similar forms of corporate organization, there has come a new form of impersonal ownership which acknowledges no social responsibility.

When we come to analyze the third part of the manifesto, which deals with "the ways and means by which Christian principles may be applied to economic conditions," we have to walk more warily.

It is necessary, they find, for the social order to support the aspirations of personal religion (Part 3, paragraph 29). If not, the latter (i.e., the spiritual) will, they state, be frustrated. It is here, perhaps, that some Catholics may agree with our nonconformist friends, and yet the very essence of the spiritual life begins in the individual, regardless of external conditions, and overflows from the fullness of contemplation to the active life. The ancient error of the chosen people is not without its adherents today, for many professing Christians are seeking for a temporal kingdom. Yet Our Lord made it abundantly clear that the kingdom of heaven is within us, that His kingdom was not of this world.

The manifesto desires to sponsor a new attitude toward possessions, wealth and power, and yet this attitude cannot come into being unless a new spirit is renewed, first of all, within the individual. To this end

groups of persons might be formed in the congregations to study, in fellowship and mutual sympathy, the Christian way of life, as it must be interpreted anew in the lurid light of the present crisis [Part 3, paragraph 31].

Here again the Catholic will disagree, for it is not that the faith needs to be "interpreted anew," but rather actually lived.

Under the section headed "One Spirit and Diverse Operations," the manifesto enumerates three attitudes of mind to be found amongst the adherents of its communion, regarding the program of change. It associates itself not only with the pronouncements of the Anglican bishops of Lambeth, but:

We further associate ourselves with the demand of the recent Papal encyclical that wealth, which has been derived from or enhanced by the operation of social growth, shall be distributed for the benefit of all rather than of the privileged few [Part 3, paragraph 40].

In spite of its obvious sincerity, and of its admirable statement of the social evils of our day, the manifesto is marred throughout by its ambiguity and doctrinal vagueness. This forbids the teaching note of authority which is to be found in the encyclical letter of Our Holy Father. Furthermore, the compromise with the traditional dogmatic teaching of the Christian faith, with which all Protestant Churches are more or less affected, causes those responsible for the manifesto to lose sight, at times, of the spiritual destiny of man, and purpose for which he was made.

The same lack of emphasis upon the dogmatic, which brings with it the note of vagueness regarding spiritual matters, follows as a logical sequence in the manifesto's teaching concerning specific remedies. Thus we find, in the last paragraph, some advocacy of the abolition of capitalism; the dangers which result from the power and privilege which accompany large private possessions cannot, it is implied, be avoided "unless private ownership of the important means of production is in some way changed into communal ownership and control."

In spite of these deficiencies, however, this manifesto should encourage us to feel that we are not alone in the fight for social justice. So much the harder should we pray that Our Lord's wish should be fulfilled—*ut unum sint*.

Cynthia

I learned thee vein by vein and thought by thought;
I dressed thy spirit by the body's glass,
Till transport's seal of faith, no longer sought,
In daily round would now occur and pass.

As boys blow forth high floating isles of soap
Whose colors burst, gone in the common sun,
So has clear white respect encompassed hope,
And all is casual and dear, all one.

And I who learned thee once will learn afresh:
Thy qualities not shining part in part,
But full, opaque, and rounded in thy flesh:
The spirit's knowledge and the body's heart.

J. V. CUNNINGHAM.

JOHN PETER ZENGER

By DANIEL J. McKENNA

THE CASE of the King versus John Peter Zenger involved the fundamental right of free men to criticize the holders of office. It was the first great American criminal trial. Zenger of New York was charged with having published in his newspaper, the *New York Weekly Journal*, seditious libels against the English government. If Zenger had been convicted it would have meant that no one could safely expose in writing the inefficiency or corruption of the government, no matter how gross it might be. His acquittal did more to insure the freedom of the press than did any other single event in colonial history. Furthermore, it brought home to the colonists the fact that they were Americans and not Europeans living in America. It taught them to think in terms of national solidarity.

In the older days, and in the more rural communities where there was otherwise little excitement, an important trial was a public entertainment, like the county fair or the circus. Farmers would drive to the county seat from miles away to hear the matchless oratory of a Daniel Webster or a Henry Clay. The guilt or innocence of the accused was a secondary matter in the minds of these spectators, who considered the whole affair a combat between skilled gladiators fighting with words and logic rather than with sword and spear. This sporting theory of justice, as Roscoe Pound has called it, has colored our whole outlook upon criminal law, making possible such Roman holidays as the trials of Thaw, Loeb and Leopold and Hauptmann.

In the early eighteenth century the Province of New York was a very small place in comparison with the modern Empire State, but the issues of local and national politics were just as serious and just as strenuously argued as they are today. The English, who had taken over the government only a few years earlier, were still considered as interlopers by many of the original Dutch settlers. Even the colonists of English blood were learning to resent the policy of the mother country which looked upon the colonies as sources of revenue but cared little about the rights of the colonial population.

Into this setting came one William Cosby, sometime British soldier and now Royal Governor of the Province of New York by grace of His Majesty, George II, and by favor of His Grace, the Duke of Newcastle. Cosby, upon arriving at New York, became embroiled with the Acting Governor, Van Dam, in litigation over the spoils of office. When Chief Justice Morris,

whose career on the bench had been long and distinguished, ruled against Cosby, Cosby removed him from office and appointed as Chief Justice one James DeLancey.

This act, as well as others of an equally high-handed and despotic nature, aroused the colonists against the new Governor. Morris ran for the Assembly and was elected. He became the leader of the patriotic party which determined to acquire a newspaper to keep its views before the public. It looked about for a publisher and found John Peter Zenger, who brought out the first number of his paper, the *New York Weekly Journal*, in 1733. Zenger, a printer by trade, was born in Germany in 1680, and came to America when he was twenty years old. He is remembered only because of his appearance in the trial for seditious libel. After that, he returned to the respectable oblivion out of which chance had snatched him.

His paper soon became obnoxious to the royal authorities. In all justice to Governor Cosby, it must be admitted that Zenger's literary style was not hampered by the conventions of a later and more restrained society. He lived at a time when people expressed themselves with a pungent directness that has never been equaled until the present age of naturalistic literature. His comments upon the personal and political characteristics of his opponents were neither elegant nor scrupulously accurate and he did not hesitate to eke out argument with personal abuse. On the other hand, it is hard to imagine any criticism too direct or too severe for the evils of the early English colonial administration. The even-handed justice which the world now associates with the British Empire simply did not exist in the eighteenth century. As far as the colonies in America were concerned, they might expect to be taxed and misgoverned. A few hardy reformers might support the cause of the colonists in Parliament, but the colonists knew that if they wished to preserve any traditional liberties which they might have, they would have to defend them in person.

In 1734, Governor Cosby decided that something would have to be done about this pestilential German who was becoming more than a mere nuisance. The Governor's Council tried to persuade the Assembly to begin a prosecution, but the Assembly, which was composed of elected colonists, sided with Zenger. Then the Council arbitrarily ordered the public hangman to burn copies of the offending *Journal*. The court ruled

LIBRARY

ST. CHARLES SEMINARY,
CARTHAGENA, OHIO

that the Council had no legal authority to issue such order but the sheriff "ordered his own Negro to burn them and the officers of the garri-son attended."

Zenger was arrested in November. After a writ of *habeas corpus* had been obtained in his behalf, he was admitted to bail in the sum of £400. This was a far higher sum in the eighteenth century than it is today. It was quite beyond the power of Zenger to raise, so he remained in jail to await his trial. He retained two well-known lawyers, James Alexander and William Smith. The trial started in April, 1735, and counsel raised the point that DeLancey was not the Chief Justice at all. They argued that his commission was illegal in that it was during the King's will and pleasure instead of during good behavior. If there was any question as to DeLancey's fitness for judicial office, it was now answered adversely by his conduct. He refused to hear the argument but flew into a rage and ruled that Smith and Alexander were in contempt of court. He then disbarred them. The trial itself was postponed and Zenger was remanded to jail.

At this point, Andrew Hamilton, the real hero of the trial, came upon the scene. After all, there is no reason to assume that Zenger's motive in operating his newspaper was primarily patriotic. Granting that he may have been sincere in his wish to defend editorially his adopted country, he appears to have been equally interested in selling his ability as a printer to the political party which employed him. Hamilton, on the other hand, was the greatest American lawyer of his generation and one of the greatest lawyers in American history. He was born in Scotland, about 1676, and came to Virginia while a young man. He later removed to Philadelphia and became an early member of that astute breed, the "Philadelphia lawyer." He became an attorney general, member of the Provincial Council, and prothonotary of the Supreme Court. After the trial of Zenger he was elevated to the bench in Pennsylvania. He and his son-in-law built the State House, afterward better known as Independence Hall. He came to New York from Philadelphia at his own expense and offered his services without compensation. The trial had become far more than the prosecution of an obscure printer for publishing scurrilous partizan attacks. It had become a contest between the crown and the colonists. It was one of the long series of stupid episodes of misgovernment which alienated from the mother country the loyalty of the colonists and made revolution inevitable.

The trial was resumed on August 4, 1735. The clerk had tried to pack the jury-box but Zenger's other counsel, John Chambers, successfully resisted this and the jury was drawn, according to the usual practise, from the book of free-

holders. The appearance of Hamilton was a surprise both to the prosecution and the court. It was one thing for DeLancey and his satellite, Justice Philipse, to browbeat and disbar members of the local bar. It was quite different when the court was confronted with one of the most distinguished citizens of Pennsylvania and certainly the greatest trial lawyer of that colony.

Zenger freely admitted that he had printed and published the offending paper. Hamilton built his whole defense upon the argument that the accusations contained in the so-called libelous statements were true and that their truth constituted a defense to any criminal prosecution. This is sound law today in England and in most of the states, at least where the publication is made for the public benefit and not merely for malice. It was not sound law in 1735.

On the contrary, the common law said that in the case of criminal libel, "the greater the truth, the greater the libel." Since this phrase is frequently misquoted and misunderstood, it calls for explanation. The *crime* of libel (as distinguished from the *civil wrong* of libel) rested on the theory that the libelous words would provoke the libeled person to make a physical attack upon his traducer, which act would produce a breach of the peace. The criminal law was not particularly interested in whether a liar printed and circulated vituperative charges against an enemy. If the injured party felt aggrieved, he could bring a civil action for damages. What the criminal law wished to avoid was the open physical chastisement which the victim of the accusation might inflict upon the man who had blackguarded him. By a somewhat curious line of reasoning, the common law judges believed that if the accusation were true, it would be more likely to attract such chastisement than if it were a falsehood. If it were true, the sting of a bad conscience would urge him to brazen out the charge and to avenge himself by assaulting the person who made it. The social desirability of a rule which would allow the uncovering of admitted evils did not receive legal approbation until later.

From a strictly legalistic viewpoint, Chief Justice DeLancey was correct in ruling that evidence of the truth of Zenger's articles was inadmissible. Hamilton politely but firmly ignored the ruling and carried his argument directly to the jury. DeLancey sullenly felt that he lacked the physical power to restrain the tactics of Hamilton. The court room was packed with colonists friendly to Zenger and any attempt to punish Hamilton for contempt of court might have resulted in a riot.

Had this been an ordinary case, such conduct on the part of Hamilton might have been professionally reprehensible. The Zenger case, of course, was more than a mere criminal trial. It was a political battle between the crown and the

colonies. Zenger could not expect justice from the court which was determined to convict him at whatever cost. Great as may be the obligation of a lawyer not to present an argument which he knows to be unsound and to respect the ruling of the court before which he is arguing, his paramount duty is to obtain a fair trial for his client and to resist injustice from whatever source.

The response of the jury to the eloquent appeal of Hamilton was a foregone conclusion. Zenger had their sympathy from the start and they brought in a verdict of "Not Guilty" with-

out delay. "Upon which," says the old account of the trial, "there were three huzzas in the hall, which was crowded with people, and the next day Zenger was discharged from his imprisonment."

For many years to come, no one would speak seriously of renouncing allegiance to the English king. The Declaration of Independence was still undreamed of. Nevertheless, the trial had a decisive effect in preparing the people to accept the Declaration of Independence when the nation was ready for it and in formulating the traditional American policy of free speech.

PROBATION AND CRIME

By LAWRENCE LUCEY

DURING the course of the newspaper hue and cry over the Weyerhaeuser case there was much editorial criticism of parole. One editorial disdainfully referred to parole as the product of the "parlor penologists." Whether this criticism is just or unjust is entirely beside the point in an estimate of the value of probation. Probation is not parole despite the fact that the two are frequently confused. Parole is an attempt to readjust a prisoner to society by releasing him prematurely from prison under the guidance and supervision of a parole officer. Probation deals with offenders who have been found guilty but have not been sent to prison.

Another misconception from which probation has suffered is that it is purely an act of mercy on the part of the court. Correctly understood, probation should not be determined by charitable motives. Judge Ulman of the Maryland Supreme Bench has written enlighteningly of this popular fallacy. He says ("Probation and Criminal Justice," pages 110-111):

The omission of the word "mercy" is stressed because its conscious or subconscious inclusion by judges using the technique of probation has been productive of very great evils, and has done as much as any other one thing to hold back the sound growth and development of the probation method. "Please give him another chance, he is my son and I love him. You have sons and you must have a parent's heart!" "For God's sake don't lock him up—I need his support and I know he has learned his lesson this time!" These phrases might be varied and multiplied a thousand times. The criminal court judge hears them in the court room every day. They come to him with every batch of mail. They echo in his ears when he goes to sleep at night and they flash before his eyes when he awakes in the morning. And every time he allows them to sway his cold, impersonal, objective judgment he sins against his own integrity and fails in his social duty. Probation

should never be just an "act of mercy." If, in many cases, it turns out to be a merciful act, that should be merely incidental; it must never be the determining factor in the decision. A judge ought to have a "soft heart," if by that is meant an acquaintance with life that enables him to understand and to sympathize with weakness and with sin. But when he is called upon to pronounce sentence, and particularly when he has to decide whether or not to use the probation method as a means of readjustment, his head must rule him—and the harder that head is, the better for society and the offender too.

When a person is convicted of a crime the usual procedure in New York is to permit a week to lapse between the date of conviction and the date for the imposition of sentence. During this period a probation officer investigates the defendant and submits a report of his findings to the court. At the trial only legal evidence surrounding the criminal act was admitted by the court. The probation officer interviews the defendant, looks up his criminal record, visits his home, interviews his family and neighbors, finds out the church which the defendant attends, ascertains the education which he has received, has him submit to a psychiatric and physical examination at a clinic, discovers whether or not the defendant is employed and learns his salary, examines the aggravating or mitigating circumstances of the criminal act, and taps all other sources of information which may aid in determining why this person has become a criminal.

Whatever the investigation reveals as the main factor or factors in the defendant's crime are set forth by the probation officer as his diagnosis. The officer completes his report with a prognosis. This is the probation officer's estimate of the possibilities which exist for reforming the defendant's life so that he will become a normal person unlikely to resort to crime in the future.

With the legal evidence presented at the trial and the report of the probation officer before him, the judge is now prepared to impose sentence upon the defendant. If the court finds that the defendant is suitable for probation, he is released conditionally under the supervision of a probation officer. Should the defendant prove unmanageable the probation officer may surrender him to the court and he may be committed to prison. Only offenders who are likely to reform under proper treatment should be placed on probation.

Essentially probation consists of an investigation into the social, personal and family history of an individual, an examination of the factors which have led him into crime, the removal of the occasions of crime, and a remodeling of the life of the individual so that he will not fall into his old habits. It is a recognition of the fact that there is something radically wrong with the life of a person who had committed a crime. When one is released from prison or from court on a suspended sentence, he is told either by word or deed that "he can go home. But he must be good in the future." Very often one so released may fully intend to reform, but either through ignorance or lack of initiative he is unable to revolutionize his life. Probation not only tells the offender to be good, but it goes home with him and shows him concretely and specifically how to be good.

One of the cases treated by the Catholic Charities Probation Bureau while conducting its experiment in the New York Court of General Sessions was that of Stephen L. He had been convicted of burglary. He, with three companions, had stolen a radio from an apartment. He was seventeen years old, and this was his first appearance in court.

Stephen left high-school at the age of fifteen. His school record was normal. He was interested in mechanics, and left school with a burning desire to become an electrician or a telegrapher. Many of his nights had been spent at the library poring over books on mechanics and inventions. His mother was unsympathetic to the mechanical turn of his mind, and decided to divest him of his youthful whims before it was too late.

Stephen's mother procured a position for him as delivery boy with the family grocer. He was now under her watchful eye and that of her friend, the grocer, all of the day and the greater part of every evening. He no longer could visit the library and read his precious books which told how Edison and Marconi made their dreams come true. His new occupation afforded him neither the time nor the opportunity for playing ball on the back lots with the boys. He turned his pay envelope over to his mother intact, and protested but little at the meager allowance which

she accorded him. Being overworked and unhappy whetted Stephen's desires for tools, engines and most of all for a radio.

Stephen's work at the grocery store lasted till ten o'clock every night. At this hour his friends of former days were no longer available. And he cultivated the acquaintance of young idlers of the neighborhood. They had decided to burglarize an apartment. With three companions Stephen entered the flat through an open fire-escape window. His companions took everything which appealed to them in the apartment, but Stephen took only the radio.

The radio was restored to its owner and Stephen was placed on probation. The probation officer sought the cooperation of Stephen's parents, and with his aid they came to an understanding of the problem which their boy presented. Stephen's interest in electricity and his desire to advance himself were encouraged by obtaining a position in a newspaper office where he had an opportunity to learn telegraphy. By budgeting the family income a savings fund was started for the purchase of a radio on instalments.

Realizing that his mother was no longer hostile to the mechanical bent of his mind, Stephen became absorbed with the radio, telegraphy and the field of electrical experimentation. He enrolled in an evening class on mechanics where his proficiency won him the approval of his teachers. His Saturday afternoons were now spent on the baseball grounds. And with an adequate allowance to jingle in his pockets, Stephen could once again look out at the world over a big, boyish grin.

Without the guidance of probation Stephen's life would probably be permanently maladjusted to society. From such material the careers of habitual, headline criminals are fashioned. Had Stephen been committed to prison both society and he would have suffered. After the prison term he would have returned to his home without the fundamental readjustment which took place while he was on probation. His problem would not have been solved. As an ex-convict he would find it more difficult to obtain work in his chosen field. He would meet the same obstacles that were placed in the path of Alabama Pitts, though Stephen would not have the help of headlines and sob-sisters. Probation removed the occasions of crime from the life of Stephen—prison would have multiplied them.

Probation has great potentialities. It is an instrument which if used intelligently and carefully will get at the roots of the crime problem. As a method for the treatment of crime it is still in its infancy. It brings with it the smiles and hopes which radiate from the pink cheeks of every infant. It needs and deserves the moral and active support of the public.

PASTEUR'S PROFESSION OF FAITH

By G. BARRY O'TOOLE

AS EVIDENCE of the simplicity of Pasteur's faith more or less garbled versions of the following anecdote are frequently cited:

"Dear Master," said a student, who had been admitted to intimacy with him, one day, "how can you, who have reflected so much and studied so much, how can you continue to believe?" Pasteur replied, "It is because of having reflected and studied much that I have the faith of a Breton. If I had reflected and studied more, I would have attained to the faith of a Bretonness."

Not long ago I received a letter from the President of a Protestant College seeking substantiation of this episode in the life of Louis Pasteur. Recourse to the Catholic Encyclopaedia was of no avail. After some searching, I was fortunate enough to come across what would seem to be the original source, in the *Revue des questions scientifiques* (deuxième série, tome IX, livraison d'avril 1896—tome xxix de la collection, p. 387) published at Louvain. It is a conference given six months after Pasteur's death by the Reverend Père Victor Van Tricht, S.J., before the Scientific Society of Brussels in its April session of 1896. The title of the conference is "L'année scientifique et religieuse," and Pasteur's celebrated profession of faith is given under the subtitle, "La mort de Pasteur" (pages 382-387). The text is as follows:

"Cher Maître, lui disait un jour un des ses élèves, admis à sa familiarité, comment vous, qui avez tant réfléchi et tant étudié, comment pouvez-vous croire? Et Pasteur répondit: C'est pour avoir réfléchi et étudié beaucoup que j'ai gardé une foi de Breton. Si j'avais réfléchi et étudié davantage, j'en serais venu à une foi de Bretonne."

"Conflict of faith and science!" is Van Tricht's comment, "Let them explain Pasteur. In what way did Pasteur's Christian faith impede his research? When was he ever obliged to force the assent of his intellect?"

Formerly, I must own, I was inclined to undervalue arguments of this sort, on the ground that in logic authority is rated as the weakest of arguments. Later, however, as the result of experience in China, I came to realize that, in this connection at least, such an argument is very effective. Many of our university students shared the mentality of Pasteur's pupil; they came to us with a strong persuasion of the incompatibility of science and religion. That prejudice vanished so soon as they encountered the concrete fact of the union of both in a Benedictine professor, who was at once a scientist and a religious. Nor are the Chinese unique in this respect. Infidel scientists the world over are keenly alive to the force of an indubitable human fact like Dr. Louis Pasteur.

My previously mentioned correspondent (the college president) had prepared for the press a series of articles on noted scientists who were Christians; on his list was the name of Louis Pasteur. His editor, however, demurred, having read Sir William Osler's slanderous

charge that Pasteur was a devotee of "modern Pantheism." Those who have read Mrs. Devonshire's translation of the Vallery-Radot "Life of Pasteur," will recall that the Introduction is by Osler, who declares: "And modern Pantheism has never had a greater disciple, whose life and work set forth the devotion to an ideal—that service to humanity is service to God: 'Blessed is he who carries within himself a God, an ideal, and who obeys it: ideal of art, ideal of science, ideal of the Gospel virtues, therein lie the springs of great thoughts and great actions; they all reflect light from the Infinite'" (page xvi).

The passage here quoted by Osler to convict Pasteur of Pantheism or "polite atheism" (as it has been so aptly styled) is taken from Pasteur's address before the Académie Française. Thus sundered from its context, there is no doubt that it lends itself very well to Osler's purpose—the identification of Pasteur's Infinite with the pantheistic Absolute. It would, on the other hand, be unjust to accuse Osler of deliberately distorting the true sense; for the quoted passage is found similarly truncated in Mrs. Devonshire's translation as also, most probably, in the "Vie" itself. (Cf. "Life of Pasteur," page 343.)

If we consult the original text of Pasteur's address, however, we shall find that he is here discussing the etymology of the Greek term *enthusiasm*, which he tells us is derived from *en-theos* and signifies an "interior God," that is, a God who inspires us from within. Pasteur is simply interpreting what the Greeks had in mind when they coined this term. He had no intention of intimating that the word meant a deification of the ego or the divinization of humanity. To him, as he makes plain by repeating the thought under several forms, enthusiasm means whole-souled devotion to a sublime ideal, the interior voice of conscience, the Socratic *daimonion*, the Sentinel of God, the divine spark kindling our soul; an ideal, a value, a fragmentary vision of the splendor that lies beyond the flaming ramparts of the universe.

Restored to its context the whole passage reads as follows: "Where are the true sources of human dignity, of liberty and of democracy? The Greeks understood the mysterious power of this beyond of things. It is they who have bequeathed to us one of the loveliest words in our language, the word *enthusiasm*: *En Theos*, an Interior God. The greatness of human actions is proportioned to the inspiration that engenders them. Happy is he who bears within himself a God, an ideal of beauty, and who obeys it: ideal of art, ideal of science, ideal of country, ideal of the Evangelical virtues. These are the living wells of great thoughts and great actions. All of them reflect light from the Infinite."

In pleasant contrast to this rather disingenuous attempt on the part of Osler to get rid of the troublesome fact of Pasteur's Catholicity is the frank attestation of another witness (who apparently is not a Catholic). Dr. S. J. Holmes, professor of zoology in the University of California, has this to say of Pasteur's last moments: "On September 27, 1895, holding in one hand a crucifix, for he had always lived in the Catholic faith, and the other resting in the grasp of Madame Pasteur, he passed away" ("Louis Pasteur," 1924, page 242).

Seven Days' Survey

The Church.—At Strasbourg, Alsace, France, the National Eucharistic Congress was brought to a close by a Eucharistic Procession led by twenty-three members of the hierarchy. A choir of 1,600 and some 50,000 men walked in this procession of the Blessed Sacrament, the first of its kind in Strasbourg for 100 years. The first religious procession in five years in the streets of Madrid took place on July 16, the feast of Our Lady of Mount Carmel. * * * The Committee on International Law and Organization of the Catholic Association for International Peace on August 7 issued a statement, sent to Secretary of State Cordell Hull, urging the United States to repudiate the "aggressive declarations of Italy" and to call for arbitration of the Ethiopian dispute under the Pact of Paris. * * * The authorization of nine priests to function in the State of Yucatan was said to be the first instance over a long period that any Mexican state had relaxed its anti-religious decrees. The Baltimore Archdiocesan Confederation for the Defense of Religious Liberty in Mexico is planning a series of study clubs to make known the true state of Mexican affairs. * * * A Toronto business man recently sent a check for \$500,000 to Archbishop McGuigan for the use of charitable organizations in the Province of Ontario. * * * The Right Reverend Monsignor Aloysius J. Muench, Rector of the Seminary of St. Francis de Sales, Milwaukee, has been named Bishop of Fargo, North Dakota. * * * The Catholic Women's League of Canada at their fifteenth annual convention adopted a resolution embodying a proposal to meet all immigrants arriving at Canadian ports, to inform them about their church and school, notify their parish priests and make frequent family visits. * * * The Catholic Total Abstinence Union of America recently held its sixty-fourth annual convention at Altoona, Pennsylvania. * * * Representative Maverick recently inserted in the Congressional Record a list of twelve Texas missions on behalf of the coming Centennial Exposition. The 150th anniversary of the arrival in Kentucky of the first Catholic colony to come over the Alleghany Mountains from Maryland was celebrated August 18.

The Nation.—Business continued to show signs of improvement which, if sustained and if Congress could bring itself to go home and rest, might, in sporting vernacular, take the play away from politics. The American Woolen Company, for instance, joined the parade by reporting a half million dollar net profit in the past fiscal year, compared with a half million dollar loss in the year preceding. Sears, Roebuck, to consider another example, reported a net profit for the twenty-four weeks ending July 16 of \$9,071,071, compared with a net profit for the same period last year of \$6,808,189, and for 1933 of \$1,619,811, and a net deficit for the same period in 1932 of \$2,120,019. * * * A compilation by the National

City Bank on 250 corporations indicated that during the first half of this year their earnings were 6.5 percent annually, compared with 5.5 percent in the same period in 1934, 1.3 percent in 1933 and 0.4 percent in 1932. * * * Deposits in mutual savings banks increased by \$112,000,000 during the first six months of this year, deposits reaching a total of \$9,870,000,000, within 2 percent of the all-time high. The number of depositors reached an all-time high of 13,896,605. * * * The Federal Reserve Board reported that the dollar value of sales in department stores was 14 percent greater this July than last. Buyers for the fall trade were announced in the newspapers to be stocking for an improvement variously estimated at between 10 and 15 percent. * * * The House and Senate ratified the conference report on the administration-sponsored Social Security Bill, which provides for old-age pensions, job insurance, and aid for the blind, disabled mothers and destitute children. This marks the realization of one of the President's main objectives, but the putting into operation of the measures prescribed waits on the huge, and possibly slow, task of securing the cooperation of the States. * * * The Federal Soil Conservation Service announced that it has contracts for control for five years of 12,061 farms comprising 1,620,000 acres and that an additional 13,354 farmers with 1,751,630 acres have applied for contracts. The immediate aim of the conservation service is to prevent soil erosion, but farm officials are said to be looking forward to its employment for long-range crop and farm price control. * * * Leaders of three branches of Methodism have begun negotiations for merger of the Methodist Episcopal Church North, the Methodist Episcopal Church South and the Methodist Protestant Church. The combination would make the largest Protestant body in the United States with a membership over 7,000,000.

The Wide World.—Italian-Ethiopian relations continued to hold the center of the stage. It was reported that concessions by Ethiopia, to be followed by an investment of Italian capital, were scorned in Rome. Troops were assembling in increasing numbers in Eritrea and Somaliland. The Ethiopian army seemed to be making comparatively little headway, though some signs of progress—new fortifications, etc.—were noted. Emperor Haile Selassie reiterated his desire for peace, but indicated again that the country was prepared to defend its independence "to the last drop of blood." General Jan Christian Smuts declared that if the war is really fought, the repercussions throughout colonial Africa will be tremendous. "There is no doubt in my mind," he said, "that invasion of Ethiopia by Italy will arouse the most anxious feeling throughout Africa between the whites and blacks." * * * Speaking at Rosenheim, Chancellor Hitler declared: "Nobody will deny that in the last two and a half years Germany has attained a different posi-

tion in the world. I am convinced no power on earth can attack us again. We want peace and reconstruction, but just as we want peace so the other nations must want peace." He likewise defied "those who are against us," and predicted that in 500 years the Nazi flag would be engraved "on the hearts of all the German people." * * * Dispatches from Vienna seem to indicate that, Italy having withdrawn financial and other aid, the Austrian government was constrained to try for a *modus vivendi* with the Germans. It was added that the movement to reestablish the Hapsburgs had made little headway recently. * * * Symbolic of newer German attempts to establish economic autarchy is a gas-driven ship with which engineers have been experimenting on the Rhine. As yet the new invention functions rather poorly, but it is believed that ultimately a small oven which manufactures gas on the premises can be made efficient enough to render Germany less dependent on foreign petroleum. There is, of course, no shortage of coal. * * * Significantly enough, Dr. McNeice, Anglican Bishop of North Ireland, told his congregation, with reference to the Belfast riots, that "loyalty to a political party must never mean disloyalty to God." * * * The Catholic Bishops of Germany assembled at Fulda, on August 13. Their deliberations will doubtless be formulated in a new and significant Pastoral Letter.

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W.P.A. Strike.—New York City uneasily presented the nation with a test problem on wages for Works Progress Administration jobs. The W.P.A. at present employs 550,000 men throughout the country, but 425,000 of them are in C.C.C. camps. Of the remaining 125,000, about 100,884 are working in New York City. Their most important jobs are skilled construction. Under the old P.W.A. set-up, union construction workers received \$60.00 a month for only a few days' work, since they were getting the union scale, which for bricklayers, for instance, was \$1.50 an hour. Now the W.P.A. offers \$93.50 monthly for 120 hours at a rate of \$.779 an hour. The workers called the strike because they want the prevailing wage they have struggled long and hard to achieve, no matter how many hours a month the government wants to hire them. They claim that if the government cuts the scale, private employers will immediately do likewise and their union work will be brought to nothing. The government, locally represented by General Johnson, asserts that the pay for relief work will not affect the private scales, and that, furthermore, the assurance of a regular monthly salary more than makes up for reductions in the unit compensation. President Roosevelt announced that there will be no federal relief for men who refuse to work at the new rates. One striking worker, whose case was called "exceptional" by W.P.A. authorities, received home relief from the city in what unions hoped was a test case. During the first week, the strike in New York was not very successful, only about 1 percent apparently being out, but the unions were still organizing for a more powerful movement, and they promised that the same

opposition would be carried on all over the nation as the W.P.A. program spreads. They claimed that the government was turning the new National Employment Service into a scab organization by hiring from its rolls men to take the place of the strikers. Previously men had largely been taken directly from the relief rolls.

Catholics in Germany.—Among the numerous recent actions by Nazi authorities against Catholics there are some which seem especially interesting. From the mayors of Duisburg and Bochum came a letter addressed to all city employees ordering them "to give up at once their membership in confessional organizations, and to instruct their children to leave the Catholic youth groups." The governor of the Westphalian province, when asked for his opinion of these instructions, declared that he did not object to them. While it was true that membership in such societies was permitted by law, it was, he held, only natural that the authorities should favor those who complied in matters affecting vacations, advances, etc. Nazis in Baden opened a campaign against the remaining Catholic papers, declaring that the time had now come to suppress them all. The official Catholic statement concerning the status of youth groups reads as follows: "Following the decrees issued by Minister Goering and Minister Dr. Frick, the deputy of the chief of the secret police, SS commander Himmler, has issued detailed rules governing the ban on confessional youth activities and has at the same time fixed the penalties to follow infringements." Speaking at Königswinter, Dr. Ley, leader of the *Arbeitsfront*, declared: "The severe struggle we have fought under the leadership of Adolf Hitler for a new Germany is more a religion to us than certain groups who are hostile to us imagine. We National Socialists do not know the definition of sin, penance or confession." The Catholic Students' Mission Crusade, meeting at Dubuque, Iowa, sent the following cable to the German bishops assembled in Fulda: "Representing a half-million Catholic American students, we, the delegates of the Ninth National Convention of the Catholic Students' Mission Crusade, meeting in the city of Dubuque, Iowa, register a vehement protest against the unjust restrictions placed by the German government on the basic and inalienable liberties of our fellow Catholic students and of all youths of Germany." The cablegram was signed by the Most Reverend John T. McNicholas, O.P., and the Most Reverend Francis J. L. Beckman, respectively Archbishop of Cincinnati and Archbishop of Dubuque.

French Turmoil.—On August 5, riots in the Toulon arsenal of the French Republic ushered in the most acute period of stress since Premier Laval inaugurated his deflationary program. They were followed by strikes and riots in the arsenals of Lorient, Brest and Cherbourg, by a two-day strike of the French Line, and by troubles in every major port of the country. The climax came August 8, when five were killed and 200 wounded in Toulon in riots with the Garde Mobile and Senegalese troops on one side and civil employees fighting against

the wage-cut decrees on the other. The following day was one of pacifications. Leaders of all the parties and trade unions, even the Communists, deplored the violence and counseled calmness. Premier Laval meanwhile concentrated on further deflationary decrees, designed to reduce all costs and charges in line with the cuts in public expenditure and wages, and to revive credit and business activity. For the first time in history, he called all the prefects of the French Departments to Paris to receive orders and advice at once, directly from the central government whose local representatives they are. Hitherto all orders have been issued individually to prefects and their position as representing both the Departments and the central government has been somewhat ambiguous. On August 13, the country being relatively calm, an upsetting meeting took place in Amiens, where farmers gathered to add their protest to the already formidable ones against the present governmental policy. Observers find France dividing into three groups: an increasingly unified Left; the Right; and the government, which is increasingly assuming a position above the parties and refusing to admit that it represents either the Right or Left. No one knows how much popular support this government has.

A New Type of Censorship.—Quite a stir has been aroused recently among movie magnates and Hollywood reporters by the case of Sidney Skolsky, a columnist who dared to make, among others, the following statements of fact: "A plate of glass protected the baby in 'Sequoia' from the snake"; "Scenes in 'Les Misérables' between Charles Laughton and Fredric March were actually shot a month apart, although they were supposedly looking at each other"; "Atmospheric shots in 'Oil for the Lamps of China' were made on the site of a recent studio fire at Warners"; "'Public Hero No. 1' was made quickly and at small cost to cash in on the G-man cycle." Two Paramount executives succeeded in having Skolsky's syndicated column barred from the *Detroit Free Press* by threatening to cancel advertising contracts, according to the *Motion Picture Herald*, quasi-official trade weekly. Skolsky's remarks were attacked not for their inaccuracy but because they "destroyed the illusion of the screen." The current *Editor and Publisher* tells of similar pressure exerted on newspapers in Boston and St. Louis. It also points out that the producers have raised no objections to printing scandals about personalities. Other incidents of studio pressure in order to secure favorable reports of previews in the daily press are also related. "Reporters are in good standing on some of the lots only when they act as unpaid press agents for the studios. . . ." Hollywood correspondents fear that studio censorship will now become more general. Andre Sennwald, the New York *Times* able cinema reviewer, comments as follows: "If the militant correspondents lose their battle, we can expect to find the country blanketed with a type of movie news which will quickly make it an impossibility for the intelligent filmgoer to cultivate any serious interest in the liveliest of the arts."

Our National Income.—An official estimate of the nation's income is most welcome in these days of continued debates on mounting government expenditures and the uneven progress of recovery. Robert R. Nathan, chief of the Bureau of Economic Research of the Department of Commerce, estimates that the national income paid out, which was \$78,576,000,000 in 1929 and fell to \$44,431,000,000 in 1933, was \$49,440,000,000 in 1934. Commenting on the report editorially, the New York *Times* points out that although the income paid out—in wages, salaries, interest, dividends, net rents, etc.—was \$4,500,000,000 less than the income produced in 1929, in 1934 the income paid out was about \$2,000,000,000 more than the total income produced, so that "we were still living on our fat" last year. 1934 labor income, including relief expenditures of \$1,394,000,000, amounted to \$33,109,000,000 or 67.5 percent of the total paid out; 1929 wages and salaries were estimated at \$51,088,000,000 or 65 percent of the total national income paid out. According to a recent tabulation in the *Catholic Worker*, citing a statement by Administrator Harry L. Hopkins, there were in that banner prosperity year 18,000,000 of the nation's workers who received an annual wage of less than \$1,000 for their services, while 10,000,000 more received between \$1,000 and \$1,500. The commerce department found that business losses had been materially reduced during the past year. 1934 agricultural income increased about 10 percent over 1933, but it was still only about 53 percent of the farmers' 1929 income. Weakest of all was the construction industry, which paid out only 26.7 percent of its 1929 total. The only major industry which showed a decrease in comparison with 1933 was the electric power, light and gas industry, which, however, remained the best, paying out in 1934 some 87.7 percent of what it had paid in 1929.

Public School Costs.—Commenting editorially on the statement of the United States Office of Education, the New York *Times* supplements the government report with further interesting details on financial trends in our government supported public schools. The government report, comparing the biennium 1933-34 with the preceding two years, showed a decrease of 18.3 percent in current expenses, 68.4 percent in capital outlay and of 9.6 percent in interest payments. The reduction in current expenses was from \$1,171,903,899 to \$957,693,673. The supplementary details, taken from an address by Representative Lundeen of Minnesota, made comparisons from 1929 to the estimates for this year, showing that school expenditures by the government had dropped from \$2,250,563,511 to \$1,842,581,000, while total enrollment has continued to grow, "that of high schools alone having been increased from a little more than 4,000,000 to more than 6,500,000." An analysis of the school expenditures shows that nearly one-third of the teachers are teaching for less than \$750 a year and 50,000 of them for less than \$450. About \$50,000,000 is owed those unpaid or paid only in scrip.

Communications

IL DUCE IN THE SPOTLIGHT

Fiesole, Italy.

TO the Editor: My copy of THE COMMONWEAL for July 12 reached me here yesterday.

I find a strange error in the second paragraph under "Week by Week" (page 275). You say: "Demonstrably the British had designs of their own on Abyssinia, which they flattered with an invitation to join the League of Nations." As a matter of fact Britain, as is very well known, opposed the admission of Abyssinia to the League on the ground of its slavery and its insufficient civilization, but was overruled by France and Italy who strongly supported the admission.

What is the force of the word "demonstrably?" In this case it seems to be used merely to introduce a gratuitous imputation of motive founded on a misstatement.

The suggestion, made in the same paragraph, that the League should restore the German colonies, is a familiar one, favored by many Britons. The consent of France is not to be counted on, but there seems some reason to hope that something of the kind may be arranged.

H. R.

THE OLYMPIC GAMES

New York, N. Y.

TO the Editor: Present day Germany, or the 3rd Reich has little fear of an amalgamation of the reactionary forces i. e. political catholicism, judaism, and other destructive elements of civilization.

An awakened Germany cannot and will not tolerate Poppery, Confessionalism, and other such nonsense.

Germany does not want to have any conflict with Catholics, we have all too many of them in Germany, but Catholics must refrain from serving any master—outside of the God chosen one for Germany Adolf Hitler. Heil!

The Catholic Church must at once stop copying the Jewish example of "crying persecution." The whole world is just now waking up to the fact that poppery and patriotism cannot go in one and the same direction.

Look what is happening in Belfast, Holland, Mexico, Spain and in whatever country you take a look we of the Third Reich of Germany can marshall enough strength to offset just such Catholic indignities. Also, the outcry against Germany will do more to help Germany, rather than hinder, because there is not to be found a shrewder statesman in Europe than Adolf Hitler—Heil! Catholicism as practised was never a popular article in Germany. The marching and parading of Nuns was always considered a painful stigma on Germany. Add to it the present smuggling orgy of conniving and licentious priests, nuns and other pappists, and you get a fair idea of why resentment is running high against the darkest forces of civilization. Sentiment in this country is very anti-Catholic, as it is everywhere. A church that wants to command cannot be trusted.

Germany has well thought out its course. The leaders are 100 per cent sons of Germany, and we have been thinking of what can be done "to a mass of people who would show an inclination to serve last the interests of Germany."

Catholics are just now reaching out for Juda's hand, and Juda's sons say "welcome brothers." Will this frighten the graduated tactics of Adolf Hitler—Heil!? I should say not. Moreso, you will find that you are making things much worse. Germany wants to get along with the Catholics as a country would with its inhabitants, but do the Catholics respond willingly?

They have the dirtiest records, and the Priests have already been branded *public enemies Number 1*.

We see Catholics joining the Communists in tearing down the sacred symbol—the Swiastica.

The writer of these lines has cabled to story of it to the proper channels in Germany. Please do not think that we are not watching things here, also remember that the churches in Germany have enough money to pay for what Germany will lose through Catholic agitation—as are the Jews paying there for what they are to blame. So far only 10 Nuns have gone to jails, but the penalties run into millions, the result of Catholic conspiracies. * * *

Not much remains to be said. I have thrown out enough hints for you to digest—if you will use your brains.

Olympics? Ha Ha Ha—Germany laughs at it all. It wants people to come there, but it wants the right sorts of people above all. . . .

Germany above Everything in the World!

HANS S. V. . . .

IS ETHIOPIA "ORTHODOX"?

Ottawa, Canada.

TO the Editor: On two recent occasions writers in THE COMMONWEAL have referred to the Monophysite (dissident) Abyssinians as "Orthodox Abyssinians" and a few years ago another writer spoke of the "Orthodox Armenians" when he evidently meant to refer to the Gregorian (dissident) Armenians. Why this misuse of the term "Orthodox"? Neither the New English nor the Standard dictionary (the only two that I have consulted) gives any meaning for "Orthodox" as a designation, other than as referring to the Orthodox Eastern Church. Neither lends any support to its application to any other religious body. I have for many years been a regular reader of a number of periodicals dealing with Eastern church matters, among them the scholarly "Échos d'Orient" and the more popular "L'Unité de l'Église," but have never yet, save in THE COMMONWEAL, seen the term "Orthodox" applied to any religious body other than the Orthodox Eastern Church. If the misuse has nevertheless become more widespread, a paper of the standing of THE COMMONWEAL should be the last to spread the error.

A reference to religious history will show how absurd it is to apply the term "Orthodox" to Monophysites, like

the Abyssinians and the Armenians. In the heated controversies that followed the condemnation of the Monophysite heresy in 451, by the Council of Chalcedon, those who accepted the decree justly claimed that they were the orthodox party and their claim to the word as a designation was allowed by their opponents, who were content to be known as Monophysites. As the scene of the controversy was mainly in the East, the orthodoxy of the Church received greater emphasis there than it did in the West, and when in the eleventh century the Great Schism separated the Eastern Catholic patriarchates from the center of unity, the dissident body continued, as it still does, to call itself the "Orthodox Eastern Church." We Catholics, of course, believe that the teaching of our Church is the only orthodox doctrine, but as a matter of courtesy, as well as of convenience, we concede "Orthodox Eastern Church" as a designation, without of course at all conceding its implication. No other Eastern church, however, uses "Orthodox" as a designation and if, therefore, we apply it to the dissident Abyssinians or Armenians, it can have but one logical implication, namely, that their faith is orthodox.

W. L. SCOTT.

MARK TWAIN AND JOAN OF ARC

New York, N. Y.

TO the Editor: In connection with Cyril Clemens's article on "Mark Twain's Joan of Arc" in your issue of July 26, there is an experience of mine with Mark Twain that may be worth telling. About thirty years ago I was lecturing at the Plaza Hotel on the Thursdays in Lent for the benefit of Mother Alphonsa's home for sufferers from incurable cancer who were in absolute poverty. Mark Twain had written a very interesting letter to Mother Alphonsa who was Rose Hawthorne, the daughter of Nathaniel Hawthorne, telling her how much he appreciated her work and how worthy it was of her father and his knowledge of the human heart. Mark Twain's own play, "The Prince and the Pauper," was given down at the Educational Alliance on the lower East Side by a group of players trained by Miss Minnie Herts, afterwards Mrs. J. Heniger. The author attended in person and was evidently well pleased.

I was introduced to him by Miss Herts, and as one of the subjects of the course of lectures at the Plaza was Joan of Arc our conversation naturally drifted to that. He told me that the Archbishop of Orleans had assured him that Saint Joan would surely see to it that anyone who wrote so beautifully about her would get into heaven. Mr. Clemens said that he replied to the Archbishop that if entrance into heaven would assure him of a place near her in the after-world and if it would separate him as far as possible from those who had been her enemies, he would be perfectly satisfied. He seemed to be very much interested in the prospect of a hereafter that would place him near the Maid, and the good Archbishop reiterated his assurance on that prospect.

JAMES J. WALSH.

THE HORNS OF DILEMMA

Providence, R. I.

TO the Editor: "The Horns of Dilemma" in THE COMMONWEAL for August 2 was properly interpreted by the editors as a thornless analysis of T. V. A. "Take any section of the country and propose to spend \$280,000,000 within its borders . . . and Diogenes's little mission with a lantern becomes a simple quest compared to that of finding a dissenting voice to mock the giver of such manna," says Paul Severance. . . .

And who is the giver of the manna? Many a poor woman in the State of New York is unable to buy coal to heat a flat because of the criminal expenditure of money by the T. V. A. and the other Soviet spellings.

Oh, but give the administration time and it will get around to the poor women in New York and everywhere else. . . . The South is now living on the North; when the North attempts to get a little for itself, then must come the crack of doom to the government's destruction of industry. How absurd is the proposition to spend hundreds of millions to make electricity cheap, while spending billions to make food, clothing and shelter dear!

Of course the fraud of vast government expenditure could not be perpetrated except on the false pretense that capital is paying or can be made to pay taxes, coupled with the other fraudulent representation that our thirty billions of government debt can be transferred to the future. The statements of Pope Leo and Pope Pius that it is "unlawful for the state to exhaust the means of individuals by crushing taxes and tributes" have not been given honest consideration, or no Catholic could favor the present exploitation of the poor for the benefit of the rich, which is the complete program of this administration.

The administration by its bond issues thinks it can furnish a safe-deposit vault for the excessive profits of capital even in these days of indescribable depression, and the ignorant rich, the chambers of commerce and manufacturers' associations advance the present program by expressing a pretended fear of it.

M. P. CONNERY.

THE MOVIES VERSUS THACKERAY

East Orange, N. J.

TO the Editor: I have just read "The Movies versus Thackeray," in the July 26 issue of your paper, and I heartily agree with everything you have said concerning "Becky Sharp." May I add two criticisms? First, no place did I see any mention of Thackeray's name on the screen. Second, although the author tells us that here is a novel without a hero, we somehow feel that he thought William Dobbin not unworthy of the title; but in the picture he is portrayed as such a silly ass that even Amelia may be excused for her stupid indifference. Perhaps if papers like yours will continue the uphill fight, we may some day see without wincing our beloved novels and their characters as their creators meant them to be.

GERTRUDE BRODHEAD.

Books

The Countess Matilda

Not Built with Hands, by Helen C. White. New York: The Macmillan Company. \$2.50.

A GAIN Professor White has made her own novel, not only made it historical and religious as before, but even dared to enter Church government. Feudal investiture in the eleventh century opened a way to foist on the Church bishops who exploited their sees as other lords their fiefs. The new Pope Gregory VII analyzed the remedy: "With help if I can, alone if I must, I am going to cleanse the house of God. That is why I am called to this work. If we can get the Church clean, then we can save the world" (page 106). Abbots and bishops discuss, princes demur, King Henry resists, Matilda Countess of Tuscany not only supports the reform, but rules by its principle. Her castle of Canossa is the scene of Henry's famous penance; for hers is the main action. The plot of the novel is the building of her hands in view of what is "not built with hands."

Matilda's intervention for the reception of Henry in penitence is used to make the famous meeting clearer and more human. "Only the Pope seemed to be as calm as ever. . . . The hand tightened its grip on the wood of the pillar, and looking up, Matilda saw that Henry had entered the hall. While his friends knelt before the dais, Henry waited with bowed head. Then as if a spring had been released, he rushed forward and flung himself on the carpet at the Pope's feet, sobbing. Through her tears Matilda saw the look of surprise on Gregory's face. Then, before anybody could speak, he had sprung to his feet and with a cry of joy he had raised the battered figure and clasped him to his breast" (page 356).

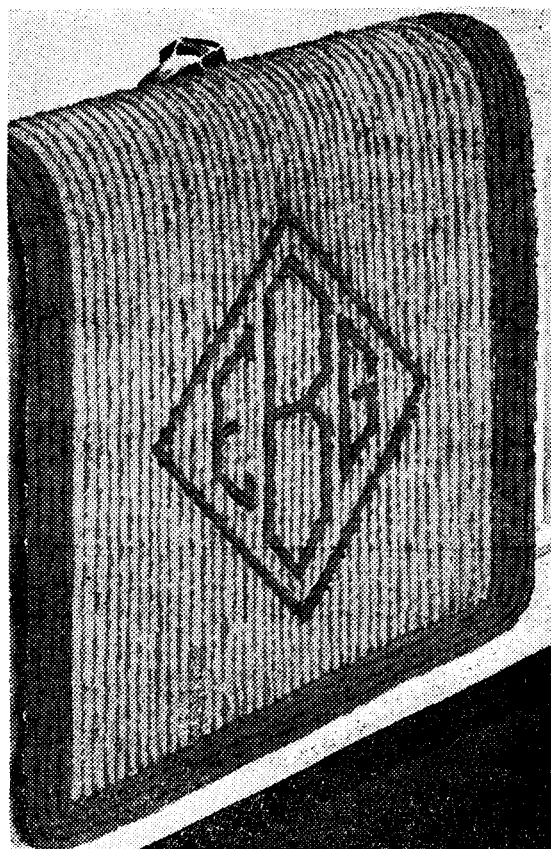
The famous scene is a crisis not in the story of Matilda, but in the history of Europe. Henry's relapse into opposition, Matilda's increasing devotion, cannot be brought to final solution in Italian terms. To cast the plot as the action of the Pope would have been impracticable. Thus the narrative sequence of a single Italian story to an Italian solution has concerned the author, and concerns us, less than the Italian situations in their European significances.

The carefully abundant description is turned to the same end. "As she knelt before the altar of the Madonna to give thanks for their safe arrival, an old delight which she had forgotten came back to Matilda. She remembered how as a child she had been awed by the great sunlit stillness of the ancient Roman basilicas. No matter how large the always restless crowd that thronged the marble pavements, the bright stillness of the upper air dominated the noisy scene and kept it in its rightful place among the lower shadows. But as she grew older, she had discovered something else about these great structures. In all the mystery and magnificence of Rome they seemed somehow a clear and simple and even homely thing. And now after months of dark little country churches and cramped castle and manor chapels, the great nave of St. John Lateran came to her with fresh astonish-

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The Catholic Medical Mission Board considers that it has been doing a real service to its friends in recommending them to invest in charity to the sick, not only for the merit they will gain, but for the immense good that can be done through such generosity. We have frequently mentioned the remarkable Medical Mission Kits which can be sent for a donation of \$30.00, but which represent nearly ten times that amount of actual value to the missionaries, as countless letters from the mission field attest.

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ment. Above the thronged five aisles of the lower church the arched windows of the triforium filled that quiet upper air with a serene luminousness that more than any of the gilded figures of the wall frescoes seemed to express the peace of faith itself" (page 99).

Thus the story is rather rich than single. A stricter narrative sequence would have sacrificed some of the various suggestions from abbots and bishops, merchants and serfs. Matilda sobs on the neck of a woman serf, conducts the relief of Florence in a flood, seeks the Pope's advice toward taking the veil, defends him with her own hands. Meantime his resistance to the usurpations of feudalism illuminates the issues with the modern totalitarian state and the canonization of Sir Thomas More.

CHARLES SEARS BALDWIN.

Can There Be Union?

The Church: Catholic and Protestant, by William Adams Brown. New York: Charles Scribner's Sons. \$2.75.

THE SUBTITLE of this remarkable book is: "A Study of Differences That Matter." It is that. But the chief emphasis is rather on the need and possibility of union in Christendom. In his Preface, after admitting "the fact that Catholics and Protestants differ not only in organization but in the quality of their inner life is patent," the author goes on: "But there is another fact equally incontrovertible: That Catholics and Protestants alike call themselves Christians, that both alike own the same Master, read the same Bible, worship the same God, aspire after the same holiness. Is the unity to which these common experiences and loyalties point great enough to make the church in fact and not simply in word one? I believe that it is. Great as are the differences between Catholics and Protestants, the things which they have in common are still more important."

A critic might question whether a liberal Protestant to whom Christ is merely a man and a Catholic to whom He is also God are really owning the same Master, worshipping the same God; that a modernist Protestant who looks on the Scriptures as simply human documents and a Catholic who believes them to be the inspired word of God are reading the same Bible. And if all the churches calling themselves Christian are teaching the religion of Christ, are mediating His sacraments, why belong to one church rather than another except for reasons of convenience? Thus a by-product of Professor Brown's thesis might easily be the conclusion that one religion or one church is as good as another. To a Roman Catholic, as Dr. Brown states quite clearly, churches teaching contradictory doctrines cannot both be right; and there cannot be essential unity without an ultimate supreme authority to determine which is right.

But the spirit of the book is excellent, and the Roman Catholic position is accurately brought out. The chapter on Catholic piety is a masterly exposition. I know of nothing else that will give a Protestant such a clear and sympathetic insight into what is so often a stumbling-block. Moreover, Professor Brown has emphasized cer-

tain points that need to be kept constantly in mind. One such point is that according to Roman Catholic theology all baptized persons belong in a certain sense to the Church; and another is that those outside of the visible organization of the Church may yet be part of the invisible Church. A remembrance of this theologically orthodox teaching may lead to greater charity on both sides.

Short of such essential unity as the Roman Catholic desiderates, there may, however, be a more united front in the perennial struggle to maintain the standard of decency common to all Christians. A striking example of what can be accomplished when all work together is the recent improvement in the motion picture industry. And although Roman Catholics must ever look toward the ideal of complete unity under the headship of Saint Peter's successor, nevertheless they can welcome lesser steps on the part of others. At least, it is an encouraging sign that many earnest Protestants like Professor Brown are disturbed over the disunion in Christendom.

J. ELLIOT ROSS.

False Doctorings

Don't Believe It! Says the Doctor, by August A. Thomen, M.D. Published by the author. \$2.50.

DR. THOMEN, who is lecturer in medicine at New York University College of Medicine, has made a most interesting book. Josh Billings once said, "It is not so much the ignorance of mankind that makes them ridiculous as the knowing so many things that ain't so." That is what Dr. Thomen has shown to be the case with regard to much popular medical information.

He begins with the teeth and points out that current notions with regard to the preservation of the teeth by frequent cleaning and the use of various dentifrices are all a mistake. As the chairman of the Department of Elementary Education of New York University said: "The health education people have been pretty gullible." Then there is the question of sun tan with which so many people have been carried away in recent years. That this promotes health is a delusion. Tan is actually nature's device for protecting the body against harmful absorption of the sun's rays.

There are many corrections of false notions with regard to cancer. Above all it is emphasized that while the mystery of cancer has not been completely solved we know ever so much more about it than a generation ago, and a great cancer specialist says that cancer is one of the most curable of diseases if only recognized in time and properly treated. Such prejudices as that with regard to the harmfulness of flowers in one's sleeping room at night, and that the night air is injurious are corrected: as a matter of fact the only pure air we have is at night and it is actually a little more wholesome than day air because there is less dust in it. These are only samples out of hundreds of corrections. The book is well worth reading and will undoubtedly do a great deal of good.

JAMES J. WALSH.

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Catholic Faith, a Catechism based on the Catholic Catechism as Drawn Up by His Eminence Peter Cardinal Gaspari, Edited under the Supervision of the Catholic University of America by Reverend Felix M. Kirsch, O.M.Cap., and Sister M. Brendan, I.H.M. New York: P. J. Kenedy and Sons. \$25.

THIS really excellent catechism, prepared by a commission under the personal supervision of Bishop James H. Ryan, rector of the Catholic University of America, is admirable in both content and format. The learned editors are respectively the professor of religious education at the Catholic University and a Sister who has had extensive practical experience in the teaching of the catechism. The publishers point out that heretofore the catechism has generally been the cheapest book in price and appearance and that this has no doubt had an effect on children's respect for it. The new one is well printed, is appealingly illustrated and is a handsome booklet rather than the usual saddle-back pamphlet. Paper bound, it retails at \$.25 for individual copies and \$.20 to schools, while cloth bound it is \$.40 and \$.35.

Pier 17, by Walter Havighurst. New York: The Macmillan Company. \$2.00.

THIS is a short, very grim novel dealing with details of the seamen's and longshoremen's strike on the Pacific Coast last year. It carefully limits itself to the experience of a few workers and a few officers and so attempts to avoid a soap box attitude, pro or con. Anonymous ownership, the "book keeping" type of economy, is the only economic element completely censured. The forces of the state are simply understood to be at the beck and call of the bosses, whoever they are. In general, the strike is a sad chaos observed and not analyzed. In the limited canvas, the author's attempt to bring in a number of points of view and to give a complete feeling, if not intellectual structure, to the violence in the piers and the strange life of sailors, results in a somewhat smudgy picture. It is interesting but not sufficiently sharp, and the personal and general tragedy of the situation is somewhat lost.

CONTRIBUTORS

C. J. EUSTACE, is a Canadian writer.

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